

# Notice of Allowability

Application No.

10/063,752

Examiner

Allen C. Ho

Applicant(s)

HOFFMAN, DAVID MICHAEL

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 12 October 2004.
2. ☒ The allowed claim(s) is/are 2-17.
3. ☒ The drawings filed on 19 December 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Claim 2 has been amended as follows:

2. (~~Currently amended~~Amended) An imaging system comprising:
- a gantry;
  - an x-ray source coupled to said gantry, said x-ray source generating an x-ray flux, wherein a portion of said x-ray flux becomes scatter radiation;
  - a first scatter detector coupled to said gantry, said first scatter detector receiving said scatter radiation, said first scatter detector further generating a first scatter signal in response to said scatter radiation;
  - a host computer receiving said first scatter signal and generating therefrom an image; and
  - a CT detector coupled to said gantry, said CT detector adapted to generate a detector signal in response to said x-ray flux.

### *Allowable Subject Matter*

2. Claims 2-17 are allowed.
3. The following is an examiner's statement of reasons for allowance:

With regard to claims 2-8, although the prior art discloses an imaging system comprising a gantry, an x-ray source coupled to the gantry, a first scatter detector coupled to the gantry, a CT detector coupled to the gantry, and a host computer, it fails to teach or fairly suggest that the host computer receives a first scatter signal from the first scatter detector and generates an image from the first scatter signal as claimed in claim 2.

With regard to claims 9 and 10, the prior art fails to teach or fairly suggest a method for data collection for an imaging system comprising the steps of receiving scatter radiation from the x-ray flux in at least one scatter detector coupled to a rotating gantry and generating an image from the scatter signal as claimed in claim 9.

With respect to claims 11-17, the prior art fails to teach or fairly suggest a computed tomography system comprising a gantry, an x-ray source coupled to the gantry, a CT detector coupled to the gantry, a first scatter detector coupled to the gantry, and a host computer, it fails to teach or fairly suggest that the host computer receives a first scatter signal from the first scatter detector and generates an image from the first scatter signal as claimed in claim 11.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

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(1) Harding *et al.* (U. S. Patent No. 6,744,845 B2) disclosed a CT apparatus for determining the pulse momentum transfer spectrum.

(2) Aradate *et al.* (U. S. Patent No 5,684,855) disclosed an x-ray CT scanner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen C. Ho whose telephone number is (571) 272-2491. The examiner can normally be reached on Monday - Friday from 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward J. Glick can be reached at (571) 272-2490. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Allen C. Ho  
Patent Examiner  
Art Unit 2882

21 October 2004